

CALENDAR ITEM  
**C08**

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S 1

08/24/06  
PRC 5074 WP 5074.9  
L. Danley

**RECREATIONAL PIER LEASE**

**APPLICANTS:**

Bruce S. Weiss, Barbara Weiss, John Lopez and Kimberly Weiss

**AREA, LAND TYPE, AND LOCATION:**

Sovereign lands in Lake Tahoe, near Carnelian Bay, Placer County.

**AUTHORIZED USE:**

Continued use and maintenance of an existing mooring buoy as shown on the attached Exhibit A.

**LEASE TERM:**

Ten years, beginning November 29, 2004.

**CONSIDERATION:**

No monetary consideration pursuant to Public Resources Code section 6503.5.

**SPECIFIC LEASE PROVISIONS:**

Insurance:

Liability insurance in the amount of no less than \$300,000.

Other:

This lease is conditioned on the Applicants obtaining authorization from the Tahoe Regional Planning Agency (TRPA) for the mooring buoy within two years after the adoption of the Lake Tahoe Shorezone Amendments-Draft Environmental Impact Statement (EIS) and approval of the ordinances based on the EIS.

**OTHER PERTINENT INFORMATION:**

1. Applicants own the upland property adjoining the lease premises.
2. On November 7, 1997, the Commission authorized a Recreational Pier Lease with Bill Eastman and Lisa M. Eastman, Trustees of the Eastman Family Revocable Living Trust Declaration dated October 5, 1993. That

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lease expired on November 28, 2004. The upland property has since been deeded to Bruce S. Weiss and Barbara Weiss, husband and wife, as to an undivided 50% interest and John Lopez and Kimberly Weiss, husband and wife, as to an undivided 50% interest. Applicants are now applying for a new Recreational Pier Lease for an existing mooring buoy previously authorized by the Commission.

3. Applicants qualify for a Recreational Pier Lease because they are natural persons who have improved the littoral land with, and use the upland for, a single-family dwelling.
4. Pursuant to the Commission's delegation of authority and the State CEQA Guidelines (Title 14, California Code of Regulations, section 15061), the staff has determined that this activity is exempt from the requirements of the CEQA as a categorically exempt project. The project is exempt under Class 1, Existing Facilities; Title 2, California Code of Regulations, section 2905 (a)(2).

Authority: Public Resources Code section 21084 and Title 14, California Code of Regulations, section 15300 and Title 2, California Code of Regulations, section 2905 (a)(2).

5. This activity involves lands identified as possessing significant environmental values pursuant to Public Resources Code sections 6370, et seq. Based upon the staff's consultation with the persons nominating such lands and through the CEQA review process, it is the staff's opinion that the project, as proposed, is consistent with its use classification.

**APPROVALS REQUIRED:**

Tahoe Regional Planning Agency

**EXHIBIT:**

- A. Site and Location Map

**RECOMMENDED ACTION:**

IT IS RECOMMENDED THAT THE COMMISSION:

**CEQA FINDING:**

FIND THAT THE ACTIVITY IS EXEMPT FROM THE REQUIREMENTS OF THE CEQA PURSUANT TO TITLE 14, CALIFORNIA CODE OF

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REGULATIONS, SECTION 15061 AS A CATEGORICALLY EXEMPT PROJECT, CLASS 1, EXISTING FACILITIES; TITLE 2, CALIFORNIA CODE OF REGULATIONS, SECTION 2905 (a)(2).

**SIGNIFICANT LANDS INVENTORY FINDING:**

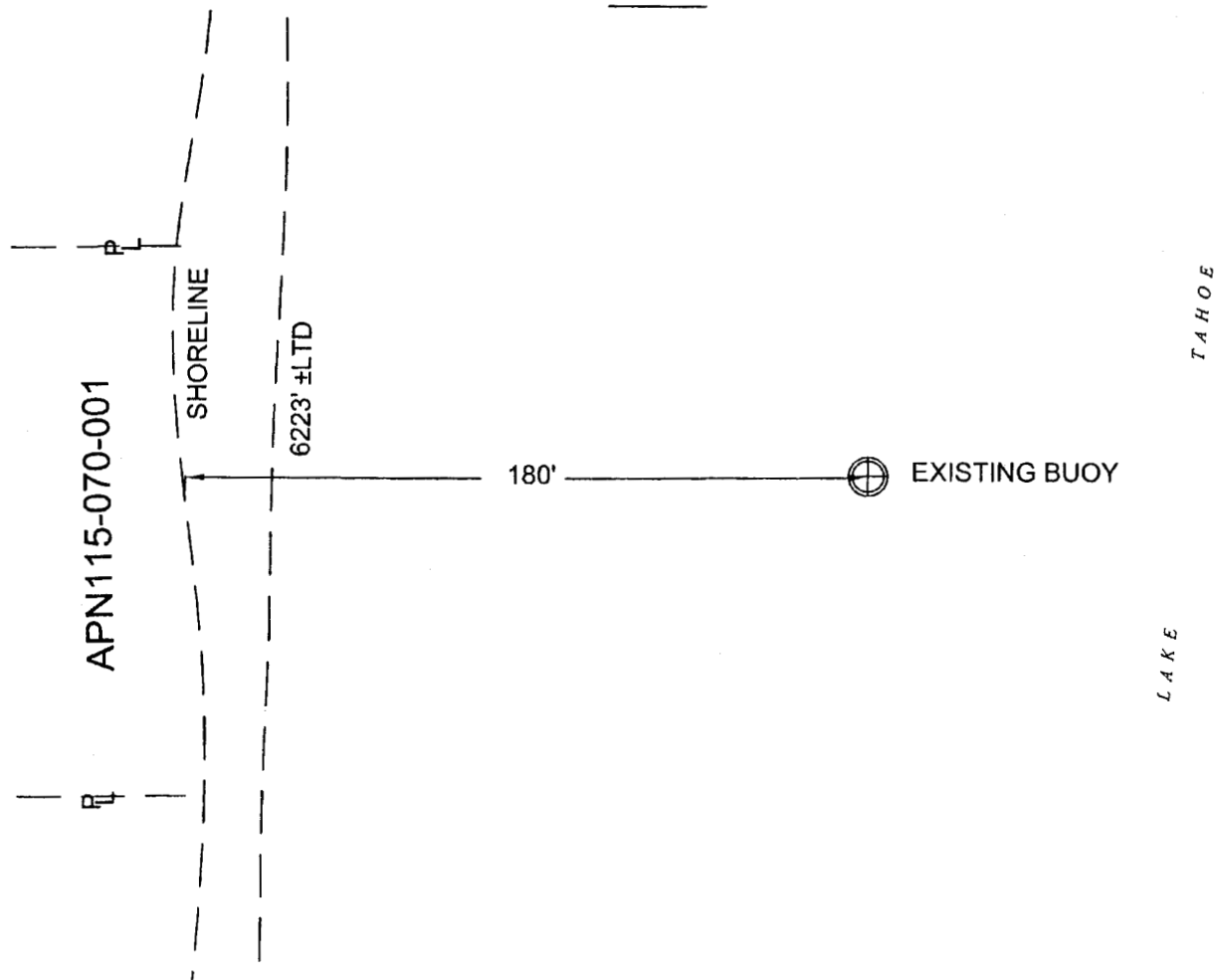
FIND THAT THIS ACTIVITY IS CONSISTENT WITH THE USE CLASSIFICATION DESIGNATED BY THE COMMISSION FOR THE LAND PURSUANT TO PUBLIC RESOURCES CODE SECTIONS 6370, ET SEQ.

**AUTHORIZATION:**

AUTHORIZE ISSUANCE TO BRUCE S. WEISS, BARBARA WEISS, JOHN LOPEZ AND KIMBERLY WEISS OF A TEN-YEAR RECREATIONAL PIER LEASE, BEGINNING NOVEMBER 29, 2004, FOR THE CONTINUED USE AND MAINTENANCE OF AN EXISTING MOORING BUOY AS SHOWN ON EXHIBIT A ATTACHED AND BY THIS REFERENCE MADE A PART HEREOF; NO MONETARY CONSIDERATION PURSUANT TO PUBLIC RESOURCES CODE SECTION 6503.5; LIABILITY INSURANCE IN THE AMOUNT OF NO LESS THAN \$300,000.

NO SCALE

## SITE



4762 N. LAKE BLVD., NEAR CARNELIAN BAY

NO SCALE

## LOCATION



This Exhibit is solely for purposes of generally defining the lease premises, is based on unverified information provided by the Lessee or other parties and is not intended to be, nor shall it be construed as, a waiver or limitation of any State interest in the subject or any other property.

## **Exhibit A**

PRC 5074.9

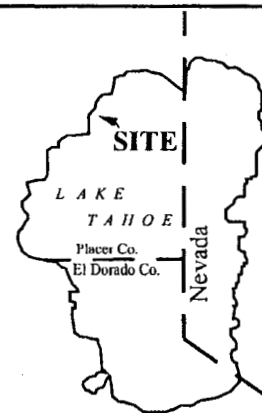
WEISS

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RECREATIONAL PIER LEASE

CARNELIAN BAY

PLACER COUNTY



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